

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH

Case No. 06-80391-CIV-RYSKAMP/VITUNAC

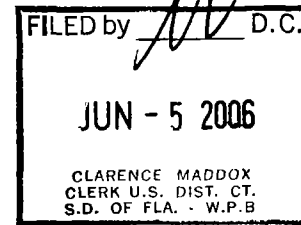
SHAWN BROWN, OZAN CIRAK,
LUKE SMITH and THOMAS HANNON,
each, individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

GENERAL NUTRITION COMPANIES, INC.,

Defendant.



ORDER TO SHOW CAUSE

THIS CAUSE comes before the Court *sua sponte*. On April 19, 2006, Defendants filed their Motion to Transfer Venue to the Southern District of New York [DE 2]. Plaintiff then filed a Motion for an Extension to Respond to the Defendant's Motion to Transfer Venue to the Southern District of New York on May 9, 2006 [DE 6]. The Court granted the motion, over the defendant's objection [DE 8], thus making Plaintiff's response due on May 19, 2006. Then on May 23, 2006, Plaintiff filed a Motion to Remand and Abstain and Memorandum in Support [DE 9].


Plaintiff has yet to file a response to Defendants' Motion to Transfer Venue to the Southern District of New York. Pursuant to S.D. Fla. Local Rule 7.1(C), failure to timely respond may be sufficient cause to grant the motion by default. Accordingly, it is hereby

ORDERED AND ADJUDGED that Plaintiff shall show cause why Defendant's Motion to Transfer Venue to the Southern District of New York should not be granted by default.

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Plaintiff shall have ten (10) days from the date of this Order to respond, or the Defendant's motion may be granted by default.

DONE AND ORDERED in Chambers at West Palm Beach, Florida, this 5th day of June, 2006.


KENNETH L. RYSKAMP
UNITED STATES DISTRICT JUDGE

Copies provided:
John Goldsmith, Esq.
Paul B. Thanasides, Esq.
Joseph J. Ward, Esq.
James G. Munisteri, Esq.